

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF VIRGINIA  
Norfolk Division**

CSX TRANSPORTATION, INC.,  
individually and on behalf of NORFOLK  
& PORTSMOUTH BELT LINE  
RAILROAD COMPANY,

Plaintiff,

v.

Civil Action No. 2:18-cv-530-MSD-LRL

NORFOLK SOUTHERN RAILWAY  
COMPANY, *et al.*,

Defendants.

/

**PLAINTIFF CSX TRANSPORTATION, INC.'S  
MOTION TO COMMENCE DISCOVERY**

COMES NOW Plaintiff CSX Transportation, Inc. ("CSXT"), by counsel, and for the reasons stated in the accompanying memorandum in support, requests this Court enter an Order directing that the parties may commence discovery. Because the time periods set forth in Local Civil Rule 16(B) after which a scheduling order shall be entered have elapsed, and because commencing discovery now will further the efficient resolution of this suit, CSXT respectfully requests that this Court enter an order allowing discovery to commence.

Dated: March 22, 2019

Respectfully submitted,

**CSX TRANSPORTATION, INC.**

*By Counsel*

/s/Robert W. McFarland

Robert W. McFarland (VSB No. 24021)

Benjamin L. Hatch (VSB No. 70116)

E. Rebecca Gantt (VSB No. 83180)

MC GUIREWOODS LLP

World Trade Center

101 West Main Street, Suite 9000

Norfolk, Virginia 23510-1655  
Telephone: (757) 640-3716  
Facsimile: (757) 640-3930  
E-mail: rmcfarland@mcguirewoods.com  
bhatch@mcguirewoods.com  
rgantt@mcguirewoods.com

**CERTIFICATE OF SERVICE**

I certify that on this 22nd day of March 2019, a true and correct copy of the foregoing was served on all counsel of record via Notice of Electronic Filing by filing with the Court's CM/ECF system.

*/s/Robert W. McFarland* \_\_\_\_\_

Robert W. McFarland